

# Pasco murder case jurors face unusual task

**Kristin M. Kraemer, Tri-City Herald**

Jurors seated on a Pasco murder trial will have the unorthodox task of deciding if the woman was killed by her ex-boyfriend, before even considering if the couple had a domestic violence history.

Gregorio Luna Luna's trial starts Monday in the 2010 death of his young son's mother.

He is charged in Franklin County Superior Court with aggravated first-degree murder.

The charge includes allegations that there was a protection order in place against Luna Luna at the time of the slaying and that there was a pattern of domestic violence in the relationship.

On Friday, defense attorneys sought to separate the underlying offense from the aggravating factors, essentially asking for two back-to-back trials with the same jury.

Shelley Ajax said her client first should get a guilt phase where the jury decides if he is responsible for stabbing Griselda Ocampo Meza based solely on evidence from that fatal day.

Then, if Luna Luna is convicted, it would go to a sentencing phase where prosecutors could use evidence of his alleged prior bad acts. That would include police reports from earlier 911 calls and any testimony of jealousy and hostile arguments between the two that could show motive for the death.

"Unfair prejudice exists from admission of that evidence that would cause the jury to make an emotional response," said Ajax, arguing why any history of abuse should not be part of the main case.

Luna Luna, 32, is claiming that he acted in self-defense. He will spend the rest of his life in prison if the jury convicts him with the aggravating factors.

Special prosecutor Andy Miller objected to the motion, saying it goes against common sense and would create a headache and extend the length of trial by having all witnesses come back to testify a second time.

Miller is the elected Benton County prosecutor. He is handling the case with his deputy prosecutor, Anita Petra, because of a conflict with the Franklin County Prosecutor's Office.

Miller said he intends to show jurors pictures of Ocampo Meza's injuries from prior beatings and present such evidence as her request to have her apartment locks changed just a few weeks before she was killed.

He assured the court he won't use any evidence to support the aggravating circumstances that was not admitted by the court Friday.

Judge Robert Swisher came up with a compromise on the bifurcation motion, saying he first will tell the jury to only deliberate the issue of guilt or innocence but will include limiting instruction on the use of aggravating circumstances.

Then, depending on the answer, he will re-instruct jurors and send them back to see if they can find the special allegations beyond a reasonable doubt. The lawyers will get a second chance to make arguments before the panel.

Swisher met with both sides for seven hours to hash out a number of motions and other trial issues. Swisher pushed them to get it all done Friday, not wrapping up until 6 p.m., so they can focus on jury selection Monday.

About 150 prospective jurors are expected to be in court. The trial is expected to last three weeks.

Luna Luna and Ocampo Meza had been together for seven years when she ended their relationship in January 2010. They had a son together, who was 5 at the time of his mother's death.

She filed her first of two requests for a protection order in February 2010 after a series of alleged assaults by Luna Luna. A two-year order was granted, telling Luna Luna to stay away from his former girlfriend and his son and to not commit any "acts of abuse."

Ocampo Meza, 21, died in her North 22nd Avenue apartment early May 24, 2010, before she could get to a hospital. Her son was rushed out of the home by Ocampo Meza's new boyfriend before she was stabbed once in the chest with a kitchen knife.

Luna Luna was arrested by Pasco police later that afternoon as he hid in the bathroom of a vacant home.

The slaying came less than a month after Luna Luna's deportation to Mexico. He recrossed the border sometime between May 1 and May 23, when he stole a Snohomish friend's car to drive to the Tri-Cities.

He ran into Ocampo Meza at a Kennewick restaurant that night and was told to leave because of the protection order, but not before allegedly making threats against her, their son and her boyfriend.

Read more here: <http://www.tri-cityherald.com/2012/02/11/1822017/pasco-murder-case-jurors-face.html#storylink=cpy>